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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No.: CR 09-798 MHP
)	
Plaintiff,)	PARTIES' STIPULATION AND
)	PROPOSED ORDER EXCLUDING
v.)	<u>TIME UNDER SPEEDY TRIAL ACT</u>
)	
JESUS AGUIRRE VALDES,)	
)	
Defendant.)	
)	
)	
)	

The parties stipulate and agree, and the Court finds and holds, as follows:

1. The parties appeared on this matter before the Honorable Marilyn Hall Patel on August 24, 2009 for an initial appearance.

2. Counsel for the government advised the court that discovery had been provided. Counsel for the defendant requested one month to review the discovery and discuss the matter with her client. Counsel for the defense asked that time be excluded based upon effective preparation of counsel.

3. The Court found that effective preparation of counsel was a satisfactory basis upon which to grant the defendant's motion for additional time. Therefore, the Court continued this matter until September 21, 2009 for status.

1 4. Both parties hereby request that the time period from August 24, 2009 until September 21,
2 2009, be excluded from the calculation of time under the Speedy Trial Act in order that counsel
3 be able to effectively prepare this case.

4 5. In light of the foregoing facts, the failure to grant the requested exclusion would
5 unreasonably deny counsel for the defense the reasonable time necessary for effective
6 preparation, taking into account the exercise of due diligence. See 18 U.S.C.
7 § 3161(h)(8)(B)(iv). In addition, the ends of justice would be served by the Court excluding the
8 proposed time period. These ends outweigh the best interest of the public and the defendant in a
9 speedy trial. See id. § 3161(h)(8)(A), (B)(iv).

10 6. For the reasons stated, the time period from August 24, 2009 through September 21, 2009
11 shall be excluded from the calculation of time under the Speedy Trial Act.

12 SO STIPULATED.

13 DATED: 08/24/09

Respectfully Submitted,

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16 /s/
SUSAN R. JERICH
Assistant United States Attorney

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18 DATED: 08/26/09

19 /s/
20 SHANA KEATING
Counsel for Defendant Jesus Aguirre Valdes

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22 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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24 DATED: 8/28/2009

25 HON. MARILYN H. PATEL
United States District Judge



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28 STIPULATION AND PROPOSED ORDER
CR 09-798 MHP

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14 DATED: 08/24/09

Respectfully Submitted,

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17 /s/
SUSAN R. JERICH
Assistant United States Attorney

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19 DATED:

20 /s/
SHANA KEATING
Counsel for Defendant Jesus Aguirre Valdes

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22
23 PURSUANT TO STIPULATION, IT IS SO ORDERED.

24
25 DATED:

26 /s/
HON. MARLYN H. PATEL
United States Federal Judge

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28 STIPULATION AND PROPOSED ORDER
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